

REMARKS

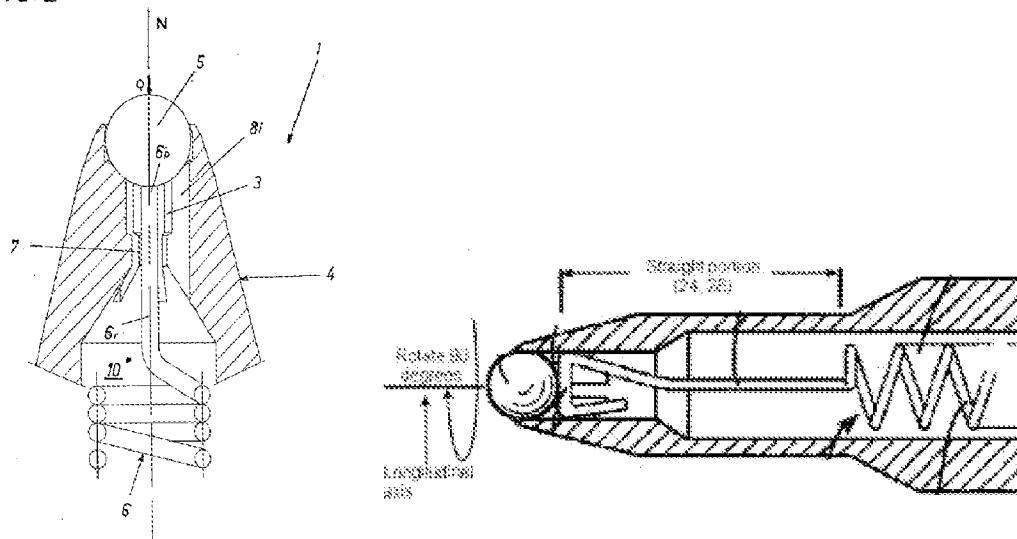
Favorable reconsideration is respectfully requested in view of the foregoing amendment and the following remarks. For the reasons discussed below, it is believed that all of the claims are in condition for allowance.

Claim Rejections - 35 USC § 102

Claims 1, 3, 4, 6 and 8 were rejected under 35 U.S.C. 102(b) as being anticipated by Kim (US 6,193,429 81).

Compare Figure 2 of the invention to KIM.

FIG.2



Claim 1 has been amended. Claim 1 now requires that the straight portion (6r) consists of only a single straight portion extending from a distalmost end in contact with the ball (5) towards a coiled portion (6) of the spring, the entire single straight portion being located on the longitudinal axis (N-N) of the ball-point pen (1). No new matter is entered by way of this amendment.

The identified "straight portion" of KIM is not a single straight portion extending from a distalmost end in contact with the ball (5) towards a coiled portion (6) of the spring, the entire single straight portion being located on the longitudinal axis (N-N) of the ball-point pen (1).

Rather, KIM comprises plural straight portions, with at least three of those straight portions being located outside of the longitudinal axis of the pen.

Therefore, KIM neither anticipates nor renders obvious the claims.

Reconsideration and allowance of the claims are respectfully requested.

Should there be any matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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